

## **RESOLUTION NO. 2022 - 86**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT A STATEWIDE GUBERNATORIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022**

WHEREAS, § 13307 of the Elections Code of the State of California provides that the governing body of any local agency may adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

#### **SECTION 1. GENERAL PROVISIONS.**

That pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of National City, California on November 8, 2022, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate, and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations.

The statement shall be filed in typewritten form in the Office of the City Clerk at the time the candidate's nomination papers are returned for filing. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

#### **SECTION 2. FOREIGN LANGUAGE POLICY.**

- A. Pursuant to the Federal Voting Rights Act 1965 (as amended), and in accordance with a Memorandum of Agreement between the County of San Diego and the United States Department of Justice, cities in San Diego County are required to translate candidate's statements into the following languages: Spanish, Vietnamese, Filipino and Chinese, and to have translations available upon request.
- B. Pursuant to State Law, the Candidates Statement must be translated and printed in any language at the Candidates request.
- C. The City Clerk shall have translated those statements into the languages as requested by the candidate of those listed in (A) above.

- D. The San Diego County Registrar of Voters will print and mail voter information guides and translate into Spanish, Vietnamese, Filipino and Chinese to only those voters who are on the County voter file as having requested a sample ballot in a particular language. The Registrar of Voters will make the voter information guides and candidates statements in the required languages available at all Vote Centers, on the County's website, and in the Election Official's office.

### SECTION 3. PAYMENT.

Translations: The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in Section 2 above pursuant to Federal and/or State law.

Printing: The candidate shall be required to pay for the cost of printing the candidate's statement in English and the required languages, as specified in Section 2, in the sample ballot pamphlets and any language the candidate requests as an option by the candidate.

The City Clerk shall estimate the total cost of printing, handling, translating and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the Federal Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the local agency the estimated pro rata share costs to be \$1600 for Mayoral Candidates and \$1500 for City Councilmember Candidates as a condition of having their statement included in the voter's pamphlet. The estimated amount is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

### SECTION 4. MISCELLANEOUS.

- A. All translations shall be provided by professionally-certified translators.
- B. The City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to elections.

SECTION 5. ADDITIONAL MATERIALS.

No candidate will be permitted to include additional materials in the voter information guide.

SECTION 6. COPY OF RESOLUTION.

That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 7. REPEAL OF PREVIOUS RESOLUTIONS

That all previous resolutions establishing council policy on payment for candidates' statements are repealed.

SECTION 8. APPLICABILITY

That this resolution shall apply only to the election to be held on November 8, 2022, and shall then be repealed.

SECTION 9. CERTIFICATION BY CITY CLERK

That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original Resolutions.

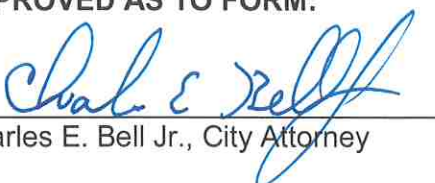
**PASSED, APPROVED AND ADOPTED by the City Council of the City of National City at a regular meeting this 7th day of June 2022.**

  
Alejandra Sotelo-Solis, Mayor

**ATTEST:**

  
Luz Molina, City Clerk

**APPROVED AS TO FORM:**

  
Charles E. Bell Jr., City Attorney

Passed and adopted by the City Council of the City of National City, California, on June 7, 2022 by the following vote, to-wit:

Ayes: Sotelo-Solis, Bush, Morrison, Rios, Rodriguez


Nays: None.

Absent: None.

Abstain: None. — —

AUTHENTICATED BY: ALEJANDRA SOTELO-SOLIS  
Mayor of the City of National City, California

Luz Molina  
City Clerk of the City of National City, California

BY:   
Shelley Chapel, MMC, Deputy City Clerk